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Attorneys for Debtor

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH	
In Re:  NOELLE C. LEGENDRE,  Debtor.	Bankruptcy No. 18-26355  Chapter 13  Hon. R. Kimball Mosier
NOTICE OF PRECONFIRMATION AMENDED CHAPTER 13 PLAN AND OPPORTUNITY TO OBJECT  (Objection Deadline: June 14, 2019) (Hearing Date: June 18, 2019, at 10:00 a.m.)	

**PLEASE TAKE NOTICE** that the Debtor(s) has filed with the United States Bankruptcy Court for the District of Utah, an Amended Chapter 13 Plan under 11 U.S.C. § 1323.

**YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one. If you disagree with the terms of the Amended Plan stated herein, you or your attorney must file with the Bankruptcy Court a written objection before the deadline stated above. In the absence of a timely written objection, the Court may grant the requested relief and confirm the Amended Plan without further notice or hearing.**

The most recently filed plan is hereby modified as follows:

<b>Plan Part No.</b>	<b>Previously filed Plan Provision</b>	<b>Plan as Modified</b>
2.1	Debtor will make regular payments to the trustee as follows: \$805 per month for 60 months.	Debtor will make regular payments to the trustee as follows: \$805 per month for 7 months, \$990 per month for 53 months
2.5	The total amount of estimated payments to the trustee provided for in §§2.1 and 2.4 is \$48,300.00.	The total amount of estimated payments to the trustee provided for in §§2.1 and 2.4 is \$58,105.00.
3.1	None	Miller Harrison LLC/McArthur Towns HOA; Collateral: 13054 South Padstow Ln Herriman, UT; Current installment: \$90.00; Amount of arrearage: \$1,842.30; Interest rate: 0.0%; Monthly payment: pro rata; Estimated total payments: \$1,842.30.
3.1	None	Herriman Towne Center HOA/Vial Fotheringham; Collateral: 13054 South Padstow Ln Herriman, UT; Current installment: \$6.67; Amount of arrearage: \$4,296.03; Interest rate: 0.0%; Monthly payment: pro rata; Estimated total payments: \$4,296.03.
3.1	Wells Fargo Home Mortg; Collateral: 13054 South Padstow Ln Herriman, UT; Current installment: \$1,178.15; Amount of arrearage: \$22,840.00; Interest rate: 0.0%; Monthly payment: pro rata; Estimated total payments: \$22,840.00.	Wells Fargo Home Mortg; Collateral: 13054 South Padstow Ln Herriman, UT; Current installment: \$1,178.15; Amount of arrearage: \$26,755.21; Interest rate: 0.0%; Monthly payment: pro rata; Estimated total payments: \$26,755.21.
3.2	Miller Harrison LLC; Estimated Claim: \$3,677.00; Collateral: 13054 South Padstow Ln Herriman, UT; Value of Collateral: \$263,500; Amount of Claims Senior: \$183,571.00; Amount of Secured Claim: \$3,677.00; Interest rate: 5.00%; Monthly	None

	Payment: \$90.00; Estimated Total of Monthly Payments: \$4,171.39.	
3.2	Wells Fargo Dealer Services; Estimated Claim: \$11,799.99; Collateral: 2014 Chevrolet Spark; Value of Collateral: \$7,500.00; Amount of Claims Senior: \$0.00; Amount of Secured Claim: \$7,500.00; Interest rate: 5.00%; Monthly Payment: \$175.00; Estimated Total of Monthly Payments: \$8,508.56.	Wells Fargo Dealer Services; Estimated Claim: \$11,799.99; Collateral: 2014 Chevrolet Spark; Value of Collateral: \$7,500.00; Amount of Claims Senior: \$0.00; Amount of Secured Claim: \$7,500.00; Interest rate: 5.00%; Monthly Payment: \$175.00; Estimated Total of Monthly Payments: \$8,240.64.
3.2	None	Utah State Tax Commission; Estimated Claim: \$2,769.28; Collateral: Real and personal property; Value of Collateral: \$2,769.28; Amount of Claims Senior: \$0.00; Amount of Secured Claim: \$2,769.28; Interest rate: 3.00%; Monthly Payment: \$65.14.00; Estimated Total of Monthly Payments: \$2,931.30.
4.2	Trustee's fees: estimated to total \$4,830.00.	Trustee's fees: estimated to total \$5,810.50.
4.3	Attorney's fees: The balance of the fees owed to the attorney for the debtor is estimated to be \$3,750.00.	Attorney's fees: The balance of the fees owed to the attorney for the debtor is estimated to be \$3,000.00.
4.4	Priority Claims: The debtor estimates the total amount of other priority claims to be \$3,002.10.	Priority Claims: The debtor estimates the total amount of other priority claims to be \$7,032.40.
8.1	<p>(1) Adequate Protection Payments. If the debtor seeks to pay Adequate Protection Payments to holders of secured claims, the requirements of Local Rule 2083-1(d) apply. Adequate Protection Payments shall be paid outside Miller Harrison LLC and the Wells Fargo Dealer Services whose claims are being treated through Paragraph 3.2 of this plan. Please refer to the notice of Adequate Protection Payments attached.</p> <p>(2) Applicable Commitment Period. The applicable commitment period for the Plan is 36 months for below median cases and 60 months for above median cases, as required</p>	<p>A. The Local Rules of Practice of the United States Bankruptcy Court for the District of Utah are incorporated herein.</p> <p>B. The applicable commitment period is 36 months. The number of months listed in Part 2.1 for which the debtor will make regular payments is an estimate only; the applicable commitment period stated in this provision dictates the term of the Plan. Any below median case may be extended as necessary not to exceed 60 months to complete the Plan payments.</p> <p>C. Adequate Protection Payments: In</p>

<p>by § 1325(b)(4). The number of months listed in Part 2.1 for which the debtor will make regular payments is an estimate only; the applicable commitment period stated here dictates the term of the Plan.</p> <p>Any below median case may be extended as necessary not to exceed 60 months to complete the Plan payments. The Applicable Commitment Period for this plan is 36 months.</p> <p>(3) Direct Payment of Claims. If the debtor elects to pay a claim directly and that claim is not one which the Plan allows to be paid directly, the direct payment designation will be listed below as a nonstandard provision. For all claims the debtor elects to pay directly, Local Rule 2083-2(i)(4) applies. Claims to Be Paid Directly:</p> <p>(4) Third-Party Payment of Claims. If the Plan provides that a nondebtor shall pay a claim directly, the third-party payment designation will be listed below as a nonstandard provision. For all claims the Plan provides will be paid by a thirdparty, Local Rule 2083-2(k)(1) may apply. Upon request, the debtor must furnish the name and contact information for the third-party payor. Claims to Be Paid by a Third Party:</p> <p>(5) Lien Avoidance Under § 522(f). If the debtor moves to avoid a lien under §522(f), Local Rule 2083-2(j) applies.</p> <p>(6) Interest on Oversecured Claims. If the debtor proposes to pay an oversecured claim a nonstandard rate of interest or interest accruing prior to confirmation of the Plan, such nonstandard treatment must be specifically stated below, including the identity of the secured creditor and the proposed interest rate accrual. Claims to be paid Interest on Oversecured Claims:</p> <p>(7) The Local Rules of Practice of the United States Bankruptcy Court for the District of Utah are incorporated by reference in the Plan.</p> <p>(8) Any order confirming this Plan shall constitute a binding determination that the Debtors have timely filed all of the information required by 11 U.S.C. § 521(a)(1).</p> <p>(9) Any allowed secured claim filed by a taxing authority not otherwise provided for by this plan shall be paid in full as part of Class 5 as set forth in Local Rule 2083-2(e), with interest at the rate set forth in the proof of claim or at 0 % per annum if</p>	<p>addition to the treatment of the secured claim of Wells Fargo Dealer Services in paragraph 3.2, the plan proposes to pay adequate protection payments to Wells Fargo Dealer Services. See the attached Notice of Adequate Protection Payments for details of the proposed payments.</p> <p>D. Any order confirming this Plan shall constitute a binding determination that the Debtors have timely filed all of the information required by 11 U.S.C. 521(a)(1).</p> <p>E. Any allowed secured claim filed by a taxing authority not otherwise provided for by this plan shall be paid in full as part of Class 5 as set forth in Local Rule 2083-2(e), with interest at the rate set forth in the proof of claim or at 0% per annum if no interest rate is specified.</p>
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no interest rate is specified. (10) Reserved	
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The above is a summary of the amended changes. Parties are advised to review the filed plan to determine if any further changes apply to them.

If you do not want the Court to grant confirmation of the Amended Plan, then you **must** timely take both of the following actions:

(1) on or before June 14, 2019, you or your lawyer must file with the Bankruptcy Court at the following address a written Objection and Request for Hearing, explaining your opposition to the Amended Plan:


United States Bankruptcy Court  
350 South Main Street, Room 301  
Salt Lake City, UT 84101

If you mail your objection, it must be mailed early enough so that the Court will **receive** it on or before June 14, 2019.

(2) And you must attend a hearing on confirmation, which is set for June 18, 2019, at 10:00 a.m. Failure to attend the hearing may be deemed a waiver of your objection.

If you or your attorney do not take these steps, the Bankruptcy Court may decide that you do not oppose confirmation of the Amended Plan and may enter an order granting confirmation without a hearing. In the absence of a timely filed objection, the Bankruptcy Court may strike the hearing and enter an order confirming the Amended Plan.

Dated this 21st day of May, 2019.

  
/s/ \_\_\_\_\_  
Sarah L. Mathews  
Attorney for Debtor

**CERTIFICATE OF SERVICE - MAIL, OTHER**

I hereby certify that on the 21<sup>st</sup> day of May, 2019, I caused to be served a true and correct copy of the foregoing **NOTICE OF AMENDED PLAN AND NOTICE OF OPPORTUNITY FOR HEARING** as follows:

**By notice of Electronic Filing (CM/ECF)**

Stephen M. Enderton senderton@emlegal.net,  
turia@emlegal.net;mathews@emlegal.net;mathewssr52908@notify.bestcase.com

Lon Jenkins tr ecfmail@ch13ut.org, lneebling@ch13ut.org

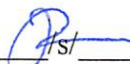
Bradley C. Johnson bcjohnson@slco.org, lpratt@slco.org

Sarah L. Mathews mathews@emlegal.net,  
turia@emlegal.net;senderton@emlegal.net;mathewssr52908@notify.bestcase.com

Mark S. Middlemas LundbergECFmail@Lundbergfirm.com,  
ecfmaildistgroup@lundbergfirm.com

United States Trustee USTPRegion19.SK.ECF@usdoj.gov

**Mail Service to Entire Matrix** - By regular first class United States mail, postage fully pre-paid, addressed to all parties who did not receive electronic service as set forth herein listed on the Official Court Mailing Matrix dated May 21, 2019 attached hereto.

  
\_\_\_\_\_  
Mail Clerk

Label Matrix for local noticing  
1088-2  
Case 18-26355  
District of Utah  
Salt Lake City  
Tue May 21 11:49:34 MDT 2019

BONNEVILLE COLLECTIONS  
PO BOX 150621  
OGDEN, UT 84415-0621

Document  
Page 7 of 9

Bonneville Billing  
1186 E. 4600 S. STE 100  
Ogden, UT 84403-4896

Caine & Weiner  
Viat Mix Corporation  
338 Harris Hill Rd. #206  
Buffalo, NY 14221-7470

Capital One  
Attn: Bankruptcy  
Po Box 30285  
Salt Lake City, UT 84130-0285

Deseret First Credit Union  
3999 W Parkway Blvd  
West Valley City, UT 84120-6480

Deseret First Credit Union  
Attn: Bankruptcy  
Po Box 45046  
Salt Lake City, UT 84145-0046

Edc/wasatch Property M  
1175 E 7800 S  
Sandy, UT 84094

Stephen M. Enderton  
Grindstaff, Enderton & Mathews, LLC  
136 E South Temple  
Suite 1050  
Salt Lake City, UT 84111-1141

Express Recovery  
PO Box 26415  
Salt Lake City, UT 84126-0415

FedLoan Servicing  
Attn: Bankruptcy  
Po Box 69184  
Harrisburg, PA 17106-9184

First Premier Bank  
Attn: Bankruptcy  
Po Box 5524  
Sioux Falls, SD 57117-5524

Granite Credit Union  
3675 South 900 East  
Salt Lake City, UT 84106-1964

Herriman Towne Center HOA  
c/o Vial Fotheringham, LLP  
515 S 400 E, Suite 200  
Salt Lake City, UT 84111-3570

IRS  
PO Box 7346  
Philadelphia, PA 19101-7346

Jean & Chantelle Legendre  
7315 South 2980 East  
Salt Lake City, UT 84121-6229

Lon Jenkins tr  
405 South Main Street  
Suite 600  
Salt Lake City, UT 84111-3408

Jensen & Sullivan  
PO Box 150612  
Ogden, UT 84415-0612

Bradley C. Johnson  
Deputy District Attorney  
35 East 500 South  
Salt Lake City, UT 84111-3200

Johnson Mark  
PO BOX 7811  
Sandy, UT 84091-7811

Noelle C. Legendre  
13054 South Padstow Lane  
Herriman, UT 84096-5719

Life Credit  
3214 North University Ave  
601  
Provo, UT 84604-4405

Lundberg & Associates  
3269 South Main Street #100  
Salt Lake City, UT 84115-3773

MIDLAND FUNDING LLC  
PO BOX 2011  
WARREN MI 48090-2011

Sarah L. Mathews  
Grindstaff, Enderton & Mathews, LLC  
136 E South Temple  
Suite 1050  
Salt Lake City, UT 84111-1141

McArthur Towns Homeowners Association  
Chase Terry, Attorney  
50 W Broadway, Ste 450  
Salt Lake City, UT 84101-2037

Mark S. Middlemas  
Lundberg & Associates  
3269 South Main Street  
Suite 100  
Salt Lake City, UT 84115-3773

Midland Credit Mgmt.  
2365 Northside Drive, Suite 300  
San Diego, CA 92108-2709

Miller Harrison  
50 West Broadway Suite 450  
Salt Lake City, UT 84101-2037

Miller Harrison LLC  
McArthur Towns HOA  
50 West Broadway Ste. 450  
Salt Lake City, UT 84101-2037

National Credit Adjusters  
327 W 4th Ave  
Hutchinson, KS 67501-4842

Portfolio Recovery  
Po Box 41021  
Norfolk, VA 23541-1021

(P) PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

RISE Credit  
Attn: Bankruptcy  
Po Box 101808  
Fort Worth, TX 76185-1808

Reviver Financial LLC  
PO Box 3023  
Hutchinson, KS 67504-3023

Salt Lake County Treasurer  
Attn: Ray Lancaster  
2001 South State Street, N-1200  
P.O. Box 144575  
Salt Lake City, UT 84114-4575

Salt Lake County Treasurer  
Attn: Ray Lancaster  
2001 South State Street #N1200  
P.O. Box 144575  
Salt Lake City UT 84114-4575

Synchrony Bank  
Care of PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

TFC Tuition Financing  
Attn: Banlrptcy Dept.  
2010 Crow Canyon Place Ste 300  
San Ramon, CA 94583-1344

U.S. Department of Education  
c/o FedLoan Servicing  
P.O. Box 69184  
Harrisburg, PA 17106-9184

US Dept of HUD  
125 South State St.  
Room 3001  
Salt Lake City, UT 84138-1105

United States Trustee  
Washington Federal Bank Bldg.  
405 South Main Street  
Suite 300  
Salt Lake City, UT 84111-3402

Utah State Tax Commission  
210 North 1950 West  
Salt Lake City, UT 84134-9000

Vial Fotherintham  
515 South 400 East  
Suite 200  
Salt Lake City, UT 84111-3570

Walmart  
PO BOX 530927  
Atlanta, GA 30353-0927

Wells Fargo Bank N.A., d/b/a Wells Fargo Aut  
PO Box 130000  
Raleigh NC 27605-1000

Wells Fargo Bank, N.A.  
Attn: Default Document Processing  
MAC #N9286-01Y 1000 Blue Gentian Road,  
Eagan, MN 55121-7700

Wells Fargo Dealer Services  
Attn: Bankruptcy  
Po Box 19657  
Irvine, CA 92623-9657

Wells Fargo Home Mor  
Attn Bankruptcy Dept  
P.O. Box 10335  
Des Moines, IA 50306-0335

Xcel Spa & Fitness  
6151 Highland Dr.  
Salt Lake City, UT 84121-2123

elevate  
4150 International Plaza #300  
Fort Worth, TX 76109-4819

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Portfolio Recovery Associates, LLC  
POB 41067  
Norfolk VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.



End of Label Matrix	50
Mailable recipients	50
Bypassed recipients	1
Total	51